## Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)	
Toyota Logistics Services Inc.	)	
Licensee of Station WPQB511 19001 South Western Avenue Torrance, CA 90509	)	File No. EB-04-PO-167
	)	NOV# 1/20052202001
	)	NOV# V20053292001
	)	
	)	

## NOTICE OF VIOLATION

Released: December 3, 2004

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

- 1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules, to Toyota Logistics Services Inc., licensee of radio station WPQB511.
- 2. On November 15, 2004, a field agent from the Commission's Portland Resident Agent Office monitored and inspected radio station WPQB511, operating on the frequency of 451.600 MHz, in Portland, Oregon, and observed the following violation:
  - a. 47 C.F.R. § 90.403(e): "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and other such measures as may be necessary to minimize the potential for causing interference." Monitoring by the field agent revealed that the licensee made transmissions without apparent regard for co-channel traffic by other licensees.
- 3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Toyota Logistics Services Inc., must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. § 1.89.

<sup>&</sup>lt;sup>2</sup> 47 U.S.C. § 308(b).

Federal Communications Commission Portland Resident Agent Office P.O. Box 61469 Vancouver, Washington 98666-1469

- 4. This Notice shall be sent to Toyota Logistics Services Inc., 19001 South Western Avenue, Torrance, CA 90509.
- 5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

James M. Lafontaine Resident Agent Portland Resident Agent Office Western Region Enforcement Bureau

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<sup>&</sup>lt;sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>&</sup>lt;sup>4</sup> 18 U.S.C. § 1001 et seq.